

H. Shook

**AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-105 (ENTITLED, "ESTABLISHMENT OR CHANGE IN FEES FOR SERVICE; NOTICE TO PUBLIC.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO REQUIRE AN AFFIRMATIVE VOTE OF TWO-THIRDS OF THE TOTAL MEMBERSHIP OF THE CITY COUNCIL TO APPROVE ANY ORDINANCE THAT WOULD RESULT IN AN INCREASE IN FEES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws P. 4469, et seq. (hereinafter "the Charter") establishes the powers and authority of the City Council;

**WHEREAS**, Article 2, Chapter 3, Section 2-302(a) of the Charter provides that the City Council can, by ordinance, adopt and publish rules to govern its proceedings and transaction of business consistent with the provisions of the Charter;

**WHEREAS**, it is the wish of the City Council to require an affirmative vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in an increase of fees; and

**WHEREAS**, Chapter Two, Article II, Division 2, Subdivision II, Section 2-105 provides for rules regarding the establishment or change in fees for service and notice of this establishment or change to the public

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:**

**Section 1:** That Chapter Two, Article II, Division 2, Subdivision II, Section 2-105 of the Code of Ordinances of the City of Atlanta be amended to read as follows:

**Sec. 2-105. Establishment or change in fees for service; notice to public.**

(a) **The affirmative vote of two-thirds of the total membership of the council shall be required for the passage of ordinances that would result in any increase of fees.**

(b) The city council shall not adopt any ordinance or resolution, the purpose of which is to establish a new fee, or charge, or to increase the amount of any existing fee, or charge unless and until all of the following procedures have been performed:

(1) A notice of pending legislation establishing any such fee or fee change has been published at least once in a newspaper of general circulation not less than 30 days prior to final council action pertaining to any such fee or fee change.

(2) The public shall have a period of not less than 30 days after the introduction of any legislation proposing any such new fee or fee change, to submit written comments to the council c/o the municipal clerk.

(3) The appropriate standing committee of the council shall hold at least one public hearing regarding legislation proposing any such new fee or fee change.

(4) Written notice of legislation proposing any such new fee, or charge or to increase the amount of any existing fee, or charge may be provided, for information purposes only, to the Atlanta Planning Advisory Board (APAB) and each neighborhood planning unit (NPU) neighborhood organizations within 30 days after the introduction of any such legislation. Written notice of any such proposed new fee, or charge or increase in any such fee, or charge, may be placed on each NPU agenda for information purposes only.

(c) Any legislation establishing or changing a fee in violation of subsection (b) above, shall be void.

(d) This section shall not be applicable to any service fees related to the operation of the airport.

**Section 2:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.